

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Meeting Scheduled for October 30, 2018

SUBJECT: Moe Minor Plat of the SE ¼ NE ¼ of Section 35, T. 20 N., R. 3 E., P.M.M. Cascade County, Montana.

PRESENTED BY: Anna Weber, Planner

GENERAL INFORMATION

Applicant/Owner: Barbara Moe (landowner), Kristi Holmlund acting as personal representative

Property Location: SE ¼ NE ¼ of Section 35, T. 20 N., R. 3 E., P.M.M. Cascade County, Montana.

Existing Zoning: Suburban Residential Two (SR2) District

Requested Action: Subdivision Review

Purpose: To remove an agricultural covenant to allow development on a 13.699 acre lot. The approval will result in one lot which will be developed with a single family residence in the future.

Existing Land Use: The existing lot is currently vacant and not being used. It is owned by the landowner to the East.

Surrounding Land Uses:

Direction	Parcel Number	Zoning District	Land Use
North	0002521200	Suburban Residential Two	Agricultural
East	0002519680	Suburban Residential Two	Residential
South	0002519800 0002539000	Suburban Residential Two	Residential
West	0002520410	Suburban Residential Two	Agricultural

SPECIAL INFORMATION

1. The Planning Board is in receipt of an application from Kristi Holmlund, personal representative of Barbara Moe, remove an agricultural covenant and approve a minor subdivision preliminary plat. This proposed subdivision is located in the SE ¼ NE ¼ of Section 35, T. 20 N., R. 3 E., P.M.M. Cascade County, Montana.
2. Attached is a copy of the preliminary plat, which will remove the agricultural covenant to allow residential development on a 13.699-acre parcel.

3. Access to the subdivision is from Elk Drive, a 60' county road easement. The applicant will need an approach permit from Cascade County Road and Bridge Division.
4. The parkland requirement is waived pursuant to 76-3-621 (3) (a) Montana Code Annotated (2017), as the parcel is greater than five (5) acres and 76-3-621 (3) (e) MCA (2017), as it is being reviewed as a minor subdivision.
5. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Gore Hill Fire Department. Response time will be dictated by weather and road conditions.
6. Pursuant to 76-3-609 (2) (e), MCA (2017), a public hearing is not required for this minor subdivision.
7. There are no delinquent taxes on this property.
8. An Environmental Assessment is not required pursuant to 76-3-609 (2) (d) (i), MCA (2017) as it is a first time minor subdivision.
9. The property is not in a regulated floodplain.
10. The property is not located in the Wild Land Urban Interface as determined by the *Community Fire Plan Wild Land-Urban Interface for Cascade County*.

CONCLUSION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana's Subdivision and Surveying Laws and Regulations.

RECOMMENDATIONS

The following recommendations are provided for the Board's consideration:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact that the Preliminary Plat of the Moe Minor be **denied**;

or:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact that the Preliminary Plat of the Moe Minor, be **approved**, subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;

3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of any lien holders or claimants of record against the land (MCA 76-3-612).
4. Pursuant to 7-22-2152, MCA, submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development.
5. Causing to be recorded on the plat a statement concerning limited public services.
6. Causing to be recorded on the plat an Agricultural Notification Statement.
7. Obtaining approval for the proposed water and sewage disposal systems from state and/or local health departments.
8. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of any road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID;
9. A Letter Certifying that Elk Drive meets Cascade County's Road Design Standards from a Professional Engineer licensed in the State of Montana.

Attachments: Findings of Fact
Vicinity Map
Subdivision Application

c: Kristi Holmlund, personal representative of Barbara Moe
Big Sky Civil & Environmental, Inc